

Senate Engrossed

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-ninth Legislature  
First Regular Session  
2009

CHAPTER 60

# **SENATE BILL 1148**

AN ACT

AMENDING TITLE 33, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING  
SECTION 33-441; RELATING TO DEED RESTRICTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 33, chapter 4, article 3, Arizona Revised Statutes,  
3 is amended by adding section 33-441, to read:

4 33-441. For sale signs; restrictions unenforceable

5 A. A COVENANT, RESTRICTION OR CONDITION CONTAINED IN ANY DEED,  
6 CONTRACT, SECURITY AGREEMENT OR OTHER INSTRUMENT AFFECTING THE TRANSFER OR  
7 SALE OF ANY INTEREST IN REAL PROPERTY SHALL NOT BE APPLIED TO PROHIBIT THE  
8 INDOOR OR OUTDOOR DISPLAY OF A FOR SALE SIGN AND A SIGN RIDER BY A PROPERTY  
9 OWNER ON THAT PERSON'S PROPERTY, INCLUDING A SIGN THAT INDICATES THE PERSON  
10 IS OFFERING THE PROPERTY FOR SALE BY OWNER. THE SIZE OF A SIGN OFFERING A  
11 PROPERTY FOR SALE SHALL BE IN CONFORMANCE WITH THE INDUSTRY STANDARD SIZE  
12 SIGN, WHICH SHALL NOT EXCEED EIGHTEEN BY TWENTY-FOUR INCHES, AND THE INDUSTRY  
13 STANDARD SIZE SIGN RIDER, WHICH SHALL NOT EXCEED SIX BY TWENTY-FOUR INCHES.

14 B. THIS SECTION APPLIES TO ANY COVENANT, RESTRICTION OR CONDITION  
15 WITHOUT REGARD TO THE DATE THE COVENANT, RESTRICTION OR CONDITION WAS  
16 CREATED, SIGNED OR RECORDED. THIS SECTION DOES NOT APPLY TO TIMESHARE  
17 PROPERTY AND TIMESHARE INTEREST AS DEFINED IN SECTION 33-2202.

18 C. THIS SECTION DOES NOT APPLY TO A COVENANT, RESTRICTION OR CONDITION  
19 IN A DEED, CONTRACT, SECURITY AGREEMENT OR OTHER INSTRUMENT AFFECTING THE  
20 TRANSFER OR SALE OF AN INTEREST IN REAL PROPERTY THAT DOES NOT PROHIBIT OR  
21 RESTRICT THE DISPLAY OF A FOR SALE SIGN OR A SIGN RIDER ON THE REAL PROPERTY.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.